

From: [PETERSON Jenn L](#)
To: [Eric Blischke/R10/USEPA/US@EPA](#)
Subject: FW: NW Natural, DEQ Comments on Final AIR & Data Gaps QAPP
Date: 08/16/2010 01:00 PM
Attachments: [Final_AIR-Comments-DEQ.docx](#)

I think this is what you looking for.

Jennifer

From: BAYUK Dana
Sent: Friday, August 13, 2010 2:13 PM
To: Sean Sheldrake (sheldrake.sean@epa.gov)
Cc: Lance Peterson (PetersonLE@cdm.com); ANDERSON Jim M; GAINER Tom; LARSEN Henning; MCCLINCY Matt; PETERSON Jenn L; POULSEN Mike
Subject: NW Natural, DEQ Comments on Final AIR & Data Gaps QAPP

Hello Sean.

This e-mail provides DEQ's comments on NW Natural's Final AIR and Data Gaps QAPP (Final AIR).

<<Final_AIR-Comments-DEQ.docx>>

DEQ has general concerns with the documents which are summarized as follows:

- The red-lined copy indicates NW Natural added text to several sections of the AIR that goes beyond their response to comments, and understandings and agreements reached during the June 3, 2010 meeting/call. For example, the 4th paragraph of Section 3.1.1.1 now reads that, "The following sections present the EPA reviewed screening levels by media type." Instead, the text should indicate NW Natural received extensive comments from EPA and DEQ regarding screening levels that have not been resolved, although some will be deferred until comments on the in-water screening values are complete. Section 3 as a whole should be reviewed closely for text that does not reflect EPA's current understandings and/or positions. Other examples exist as well, and the document should be reviewed closely for new content unrelated to EPA's comments or that go beyond the scope of June 3rd meeting/call discussions.
- In addition to deferring data screening, NW Natural indicates certain data analyses and interpretations should also be deferred until in-water screening values have been finalized. For example, comments on the interpretation of empirical bioassay results are deferred with in-water screening values, and are dropped from the Final AIR. The evaluation of bioassay tests should not be omitted or deferred from the Final AIR. Consistent with agreements reached between EPA and the LWG, empirical bioassay tests results should be used in the AIR as one of the primary lines of evidence (LOE) for establishing the "initial project area." Appropriate thresholds values for using bioassay data

are available and were provided to NW Natural during the previous round of comments. These values should be used for hit/no hit interpretations at the different threshold levels. All bioassay endpoints should be used for this evaluation. In other words, there is no reason to defer this important LOE from the AIR as appropriate threshold values are currently available for use in analyzing and interpreting data for project planning purposes. This has obvious implications for the AIR because the “probable benthic risk areas” shown in Figure 3-2 of the Draft AIR, which were at or near the boundary of the “initial project area” (IPA), have been removed from the Final AIR.

Additionally, as you know DEQ has been carrying comments forward during preparation, review, and discussions of the Draft AIR, including:

- Postponing screening until the EECA work plan;
- Applying “substantial product” to the riverbank and/or uplands soils; and
- Presence of “substantial product” at roto-sonic borings GS-01 through GS-12.

Our general concerns regarding each of these topics was laid out in a June 11, 2010 e-mail sent to you after the June 3, 2010 status update meeting/conference call with NW Natural. Certain aspects of each of the topics have been addressed through concessions made to NW Natural in the interest of moving project planning forward. However, based on review of the Final AIR, DEQ believes NW Natural’s understanding of the June 3rd discussions go beyond our intent. Those specific items are summarized below. Responses to EPA/DEQ comments regarding these items should either be rejected or NW Natural should be required to comply with comments. More detail is provided in the attachment.

- Postponing screening until the EECA work plan – DEQ’s concerns regarding this general topic now focus on removing lines of evidence (LOE) from the Final AIR and NW Natural’s rejection of requests to collect sediment samples for TPH fraction analysis.
- Removing LOE. EPA and DEQ agreed data screening could be postponed until in-water criteria were in more final form. However, it appears NW Natural not only postponed screening but dropped lines of evidence (LOE) from the Final AIR. For example, interpretation of bioassay tests; recognized by EPA and the LWG as a principal LOE, has been removed from the Final AIR even though threshold values are available for use in interpreting data and identifying the “initial project area.” Other recognized LOE being used in-water (e.g., transition zone water, surface) have also been dropped. DEQ believes removing LOE now, particularly interpretations of bioassay results, is not consistent with June 3rd discussions, regarding deferring data screening, previous agreements reached between LWG and EPA, and inappropriately reduces the criteria for identifying the “initial project area” to the presence of substantial product and “focused PRGs.”

- TPH Fraction Analysis. NW Natural should be required to comply with EPA Comment #20 to the Draft AIR and collect and analyze river sediments for TPH fraction analysis consistent with comments provided previously. MGP waste and associated contamination does not conform to generic petroleum hydrocarbon mixtures. Areas of unacceptable risk and areas of “substantial threat” material associated with MGP impacts will likely be underestimated using typical fuel hydrocarbon analytical methods (e.g., NWTPH-Gx, NWTPH-Dx) and constituent analyses. Furthermore, the TPH fractions associated with the Gasco MGP hydrocarbon mixtures are site-specific COCs. As such, NW Natural’s argument that in-river sampling has not included TPH fractions is invalid. At a minimum, NW Natural should be required to collect sediment samples throughout in-water study area and archive them for later TPH fraction analysis.

- Applying “substantial product” to the riverbank and/or uplands soils – NW Natural adds language to Final AIR which indicates the term “substantial product” has no meaning for uplands soils, however the term is used to limit the application of uplands information and data to the riverbank. Specifically, NW Natural rejects comments regarding MGP waste in the riverbank as being representative “highly contaminated” material, although there is substantial data showing high levels of contamination are associated with MGP waste. DEQ recommends this argument be rejected and the presence of MGP waste in the riverbank be recognized as an LOE for material removal.

- Presence of “substantial product” at roto-sonic borings GS-01 through GS-12 – DEQ recommends NW Natural’s responses to EPA Comments 23 and to Figure 3-1 of the Draft AIR be rejected. The argument for not revising the Final AIR is weak, and ignores valid reasonable technical arguments for indentifying the presence of substantial product. Although NW Natural agrees to conduct confirmatory sampling near Boring GS-01, DEQ believes NW Natural should be required to conduct similar work near borings GS-05, GS-08, and GS-09.

DEQ recommends taking a strong position on these issues in EPA’s comments to the Final AIR. NW Natural has repeatedly shown that unless our position is made clear, they will rely on “look backs” to previous documents for justification to maintain their positions and/or assertions. This further discussed in our attached comments.

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